

February 19, 2004

Re: Energy Emergency Rules – Load Interruption Plan Provisions
Docket No. EX03010041

To the Parties on the Attached Service List:

At its meeting on February 18, 2004, the Board of Public Utilities (Board) directed staff to review a recently adopted amendment to N.J.A.C. 14:29-4.1(b), which requires that under electric utility load interruption plans, residential customers are the last to have service interrupted. The Board directed staff to evaluate information from electric public utilities regarding potential problems posed by the adopted amendments, especially as it pertains to PJM procedures and operating requirements, and to consider a further amendment to the rule.

To ensure that this matter is fully evaluated, the Board is soliciting from all electric public utilities relevant information regarding problems which the recent amendments to N.J.A.C. 14:29-4.1(b) may pose for the utility. The Board is particularly interested in information relating to conflicts between N.J.A.C. 14:29-4.1(b) and other State or Federal laws or PJM requirements, as well as operational or public safety concerns. Therefore, this letter is to request that any electric public utility with such concerns submit pertinent information regarding these concerns to the Board on or before March 18, 2004.

While staff will be evaluating the information submitted by the utilities, it is important to avoid compromising electric utilities' ability to comply with existing Board rules and PJM operating procedures and other legal and operational constraints. Since the electric utilities must file a load interruption plan during this time pursuant to the new regulations, the Board will entertain requests for a waiver of compliance with the provision in N.J.A.C. 14:29-4.1(b) that reads "If interruption is necessary, residential customers shall be the last to have service interrupted." A waiver request shall be submitted by the utility in accordance with N.J.A.C. 14:1-1.2(b). The waiver request may be granted upon a clear demonstration that compliance with the quoted provision in N.J.A.C. 14:29-4.1(b) is incompatible with compliance with other State or Federal laws or PJM requirements, or is incompatible with operational or public safety requirements.

Sincerely,

Kristi Izzo
Secretary of the Board